

Remarks/Arguments:

I have amended the claims to address the 102 rejection to eliminate the confusion between the invention and the remote control units themselves. Below I have addressed the three referenced patents and two rejection types, a 102 a 103. I refer to application 10/758,566 as simply the application from here on out.

The office action gives a 102 rejection uses the Gibson patent to play against claims 1 and 2 of the application. There is no reference in the Gibson's patent that states the device may be used to mount, attach items, a plurality of items, or specifically remote control units. This is significant because, this is a necessary feature in the application ("A generally flat and smooth remote control attachment surface which is providing a mounting section along the long axis of said surface without raised features or indentations that interfere with direct attachment of said remote control units" – also see drawings). In addition, the Gibson invention is not capable of the attachment of remote control units do to the "plurality of raised cones protruding from said cutting surface" and do to the indentations Gibson calls juice channels. It is also not obvious the Gibson cutting board leads one to the development of a remote control holder. One skilled in the art of remote control unit holders does not imply one is skilled in the art of cutting boards. There exists no teachings of mounting attaching or grouping of the plurality of remotes for ease of use or harder to misplace the remote devises.

The office action also states a 102 rejection on the applications. It uses the Kopel patent to play against claims 1 and 3. Kopel does indeed define and claim a "mounting surface" and "mounting section" for the said remotes however; in the same claim defines a "curved frontal piece" not a upswept portion. He defines this curved frontal piece in the summary as a "hook" for hanging. Also in the summary it states it is "designed to sit on a generally horizontal surface and rest at an angle on the curved frontal piece". The application claims a "new surface". "This new surface extends from said long axis boundary at a defined angle into a new plane to form an upswept portion". The application also claims that the "upswept surface may have a slot or hole through it normal to this new surface". In the summary of the application, the "upswept surface 13 in conjunction with the angle A1 can aid the user in the removal or placement of the apparatus to a resting surface 25, as well as ease of control during remote control use". This is significant because, these claims and definitions are considerably different and novel structures with different purposes. It is not obvious that a "hook" for hanging the Kopel devise or to rest it at an angle on a generally horizontal surface is similar in any way to an upswept surface with or without a hole normal to the surface for ease of control during remote control use or to aid the user in the removal or placement of the apparatus to a resting surface.

The office action also states a 103 rejection on the applications. It uses Schults to play against claims 3. However, both Gibson and Schultz claim the use of hook and loop fasteners for the attachment of the remote devises, as does this application? I read this as one type of attachment method such as a screw etc. The applications claim three was deleted and the fasteners were added to claim 1. Neither Schults or Gibson use these fasteners in conjunction with, "a generally flat and smooth remote control attachment surface which is providing a mounting section along the long axis of said surface without raised features or indentations that interfere with direct attachment of said remote control units".

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Rev.1

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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